

# Notice of Allowability

Application No.

09/823,482

Examiner

Lewis A. Bullock, Jr.

Applicant(s)

COTA-ROBLES ET AL.

Art Unit

2195

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to amendment filed March 5, 2007.
2. ☒ The allowed claim(s) is/are 8, 11, 14, 15, 17-26, 30, 31, 35, 37, 39, 42 and 44 now renumbered 1-21.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) ☐ All    b) ☐ Some\*    c) ☐ None    of the:
  1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

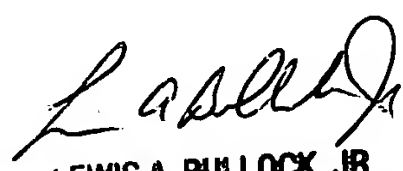
Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
  5. ☐ CORRECTED DRAWINGS ( as "replacement sheets") must be submitted.
    - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review ( PTO-948) attached
      - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
    - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

## Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO/SB/08),  
Paper No./Mail Date \_\_\_\_\_
4. ☐ Examiner's Comment Regarding Requirement for Deposit  
of Biological Material
5. ☐ Notice of Informal Patent Application
6. ☒ Interview Summary (PTO-413),  
Paper No./Mail Date \_\_\_\_\_
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other \_\_\_\_\_

  
LEWIS A. BULLOCK, JR.  
PRIMARY EXAMINER

### EXAMINER'S AMENDMENT

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it **MUST** be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Marina Portnova on March 19, 2007.

The application has been amended as follows:

- Claim 1, line 13, **replace** "software component" **with** "driver".
- Claim 14, line 1, **replace** "13" **with** "11".
- Claim 15, line 1, **replace** "13" **with** "11".
- Claim 31, line 10, **replace** "plurality of" **with** "dedicated".
- Claim 31, lines 10-11, **replace** "the main virtual machine" **with** "others of the plurality of virtual machines".
- Claim 31, line 11, **replace** "plurality of" **with** "dedicated".

Art Unit: 2195

- Claim 31, line 12, **replace** “main virtual machine” **with** “other virtual machines”.
- Claim 42, line 2, **delete** “which when”.
- Claim 42, line 2, **replace** “cause” **with** “causing”.
- Claim 44, line 2, **delete** “which when”.
- Claim 44, line 2, **replace** “cause” **with** “causing”.

2. The following is an examiner's statement of reasons for allowance: The claims are allowable for at least the following reason: The cited claims detail emulating communication between a first virtual machine and a second virtual machine wherein the first virtual machine includes a driver / component of the soft device for controlling the residual fixed function hardware device using a virtualized connectivity means wherein the VMM emulates communication between the virtual machines by trapping accesses of one of the virtual machines to the virtualized connectivity means and redirects the access to another of the virtual machines. In claims 26, 31 and 44, the claims function similar the above disclosure except the first virtual machine is one or more dedicated virtual machines and a plurality of other virtual machines / main virtual

Art Unit: 2195

machine are presented with access to the dedicated virtual machines as outlined above.

None of the cited prior art of record teach the claimed emulated communication setup for allowing a virtual machine to utilize the soft device of another virtual machine as outlined in the claims. Therefore, the claims are allowable over the prior art of record.

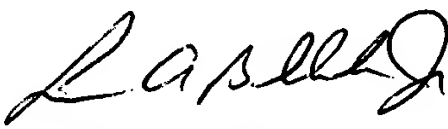
Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Lewis A. Bullock, Jr. whose telephone number is (571) 272-3759. The examiner can normally be reached on Monday-Friday, 8:30 a.m. - 5:00 p.m..

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Meng An can be reached on (571) 272-3756. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

March 19, 2007

  
LEWIS A. BULLOCK, JR.  
PRIMARY EXAMINER